



**RE: Rock Springs AO Responses**  
Conner, Randy to: Stephanie Gieck

05/11/2011 08:18 AM

2 attachments



FTE DOCUMENT 05-06-11.docx Terracon RS-8 04-15-11 NOV.docx

Hi Stephanie,

I went ahead and included the late report for the Hospital in the Recent NOV we issued them.

Both Halliburton and the Hospital have recently paid their penalties without contesting them.

I have attached the FTE breakdown and will send a hard copy also.

I have attached a copy of the NOV issued to Terracon RS-8, there should have been one attached to the letter I sent. With all the copies I made it does not surprise me that it would be yours that did not have one. I will forward a hard copy also.

Sorry for the delay I caught a spring bug and was gone for a few days.

Hope this answers your questions, let me know if you need anything else.

Randy Conner  
City of Rock Springs

-----Original Message-----

From: Gieck.Stephanie@epamail.epa.gov  
[mailto:Gieck.Stephanie@epamail.epa.gov]  
Sent: Tuesday, May 03, 2011 1:38 PM  
To: Conner, Randy  
Subject: Rock Springs AO Responses

Hi Randy,

I'm glad we got a chance to discuss the AO in person last week. I've reviewed all of the information submitted so far in response to the 3/8/11 AO. I wanted to clarify some information over email before I send a formal written response from EPA.

Response dated 4/11/11:

1. You asked for clarification on the self-monitoring report due date for Sweetwater County Memorial Hospital. You indicated that one of the reports EPA noted as being late was due on April 10, 2009, which was a City holiday (Good Friday). The report was submitted on April 13, 2009, the next City business day. If the City wishes to allow reports due on a City holiday to be submitted on the next business day, this must be included in the permit. The permit required the report to be submitted by April 10, 2009, and EPA found no exception in the permit for a later due date. As such, the report was late. If there was a provision in the permit that we missed allowing reports to be submitted on a later date due to City holidays or weekends, please provide me that language. Otherwise, the report was late and there was a violation.

2. FTEs - The response includes the job descriptions performed by Rock Springs personnel. However, I did not see any pretreatment tasks listed in the description for Collections Worker I and II, and the response letter did not provide this information either. Please provide a list

of pretreatment duties performed by the Collections Workers (i.e. any IU sampling, inspections, etc.).

Response/Quarterly Report dated 4/20/11:

3. The sampling data submitted for samples taken by the City on 3/2/11 at Terracon RS-8 showed a beryllium result of 0.250 mg/L. The permit limit is 0.043 mg/L. Has the City taken any enforcement action against Terracon RS-8 for this violation?

Thanks,

Stephanie Gieck

NPDES Unit  
Water Technical Enforcement Program  
U.S. EPA Region 8  
1595 Wynkoop St., 8ENF-W  
Denver CO, 80202  
303.312.6362

\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus  
signature database 6097 (20110505) \_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

\_\_\_\_\_ Information from ESET NOD32 Antivirus, version of virus  
signature database 6113 (20110511) \_\_\_\_\_

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

May 6, 2011

## City of Rock Springs F.T.E. Explanation

### **Mike Gaviotis, Wastewater Treatment Plant Superintendent:**

Works 0.7 FTE's Plant, 0.2 FTE's in the Collection System and 0.1 FTE's in the Pretreatment Program. Administers Pretreatment Program, Responsible for program Compliance, Oversees Program functions, Tracks budget and funding for program, Monitors enforcement actions, Signs all EPA Responses and Annual Reports.

### **Randy Conner, Special Projects & Programs Coordinator:**

I work 0.1 FTE's in the Collection System, 0.1 FTE in other duties, and 0.8 FTE's in the Pretreatment Program. I perform all aspects of the Pretreatment Program including:

Annual Report preparation	Permitted IU/SIU Inspections, Compliance monitoring, SMR reviews
Enforcement actions	Program Modifications
File reviews	Violation tracking and review
Permit writing and issuing	Local Limits development and implementation
Enforcement Actions	Sampling, SNC calculations and reviews
Permit fact and rational sheets	Ordinance development, ERP development and application

### **Brian Leum, Collections Operator II:**

Brian Leum is our lead collections operator, my assistant, and the backup Pretreatment Coordinator. He works 0.4 FTE's in the Collection System 0.1 FTE's in other duties, and 0.5 FTE's in the Pretreatment Program. (0.1 FTE was added to pretreatment recently just after our last submittal).

He performs the following duties in the Pretreatment Program;

Performs NPDES semi-annual and yearly IU sampling	Assists with enforcement responses
Reviews incoming Self Monitoring Reports	Assists with file reviews, updates, SNC calculations
Updates IU files	Performs un-permitted IU inspections
Samples specific areas and IU's of concern	Assists with Permit writing
Assists with Local Limits Development	Assists with permitted IU inspections
Assists with data collection and data spread sheets	New Business site and planning reviews

### **Steven Rech, Collections Operator II:**

He works 0.85 FTE's in the Collection System and 0.15 FTE's in the Pretreatment Program.

Performs NPDES semi-annual and yearly IU/SIU sampling

Develops New Business/IU files

Updates tracking board

Samples areas and IU's of concern

Assists in tracking problems

### **Nick Seals, Collections Operator I:**

He works 0.85 FTE's in the Collection System and 0.15 FTE's in the Pretreatment Program.

Performs NPDES semi-annual and yearly IU/SIU sampling

Assists with SNC calculations

Samples areas and IU's of concern

Develops IU/SIU Master lists

Assists in tracking problems

Total FTE in Pretreatment 1.7

Total FTE in Collections 2.4

Total FTE in Plant 0.7

Total FTE in other duties 0.2

5 people = 5.0

We will be making reviewing our FTE's and making some changes over the next quarter. We may possibly add a little more resources to the Pretreatment Program to insure our continued compliance.



April 15, 2011

John Graves, Project Manager  
Terracon RS-8  
1509 Elk St  
Rock Springs, WY 82901

## **CITY OF ROCK SPRINGS NOTICE OF VIOLATION**

This NOTICE OF VIOLATION, (NOV), by **Terracon RS-8** of Rock Springs City Ordinance's Article 7-4, Section 7-403, Sub Section 7, 7-01 (b), for the following:

This NOTICE OF VIOLATION, (NOV), is being issued to **Terracon RS-8** by the Special Projects and Programs Coordinator, of the City of Rock Springs pursuant to Rock Springs City Ordinance's Article 7-4, Section 7-403, Sub Section 24. 24-01..

### **THE SPECIAL PROJECTS AND PROGRAMS COORDINATOR FINDS THAT:**

1. To prevent water pollution, pass through and/or interference of treatment facilities or collection systems, and to abide by Federal and State Laws and Rock Springs City Ordinance's Article 7-4, Section 7-403, Sub Sections 1, 1-01, 1-02, 1-03, 1-04, 1-05, require the City of Rock Springs to administer and enforce an industrial pretreatment program.
2. These laws and ordinances are designed to protect the Rock Springs City Wastewater Collection Systems, Wastewater Reclamation Facility and the public. Article 7-4, Section 7-403, Sub Section 3, 3-04, 3-06, 3-07; Sub Section 4, 4-01, 4-02.
3. Under these requirements, **Terracon RS-8** was issued a permit in which set discharge limits and special monitoring and reporting requirements were described and made mandatory. Article 7-4, Section 7-403, Sub Section 4, 4-03; Sub Section 7, 7-01, 7-02, 7-04, 7-03, 7-05, 7-07; Sub Section 8, 8-01, 8-02, 8-03, 8-04, 8-05.
4. That on **03-02-11 Terracon RS-8** was sampled by the City of Rock Springs, test results of that sample received on 03-23- 11 have shown a **0.25 mg/l** value which did violate the Daily Discharge Limits for Beryllium (**Be**) **Limit 0.043 mg/l** in their permit.



5. That public health was not determined to be in immediate danger.
6. In that **Terracon RS-8** has failed to meet the required permit conditions as follows: Article 7-4 Section 7-403 Sub-Section 17, 17-01 (c)(5), 17-02 (a)(b)(c), 17-06 (2), (2)(ii)(4).

#	ITEM DESCRIPTION	NUMBER OF VIOLATIONS	DAYS IN VIOLATION	TOTAL # OF VIOLATIONS
A.	Exceeded <b>Beryllium (Be)</b> Limit ( <b>0.25 mg/l</b> ) lab results from City Testing on 03-02-11	1	1	1
TOTAL NUMBER OF VIOLATIONS.....				<u>1</u>

7. In that the City of Rock Springs does not at this time determine recalcitrance to be a factor in these violations.
8. That no un-controllable circumstances have initiated and contributed to cause this violation.
9. In that **Terracon RS-8** received no notable economic benefit for this violation, the City of Rock Springs has determined economic benefit not to be a factor in these violations.

THEREFORE, BASED ON THE ABOVE FINDINGS, **Terracon RS-8** IS HEREBY NOTIFIED THAT:

1. The City requires **Terracon RS-8** review its operation to determine if further treatment is required to address this metals violation.
2. That **Terracon RS-8** must provide to the City of Rock Springs a report of what action it is taking to review and prevent future violations. The response is due **May 10, 2011**.
3. That **Terracon RS-8** shall test the discharge for Beryllium no less than Two (2) times during the next 30 days from receipt of this NOV. This testing must show compliance or the unit must be shut down until compliance can be assured.
4. Failure to prevent future and or continued violations of the City of Rock Springs Ordinance's may result in escalation to more stringent enforcement action by Rock Springs City including but not limited to the imposition of further administrative, civil and/or criminal fines and penalties.

Sincerely

Randy Conner  
Special Projects and Programs Coordinator

cc: Vince Crow, City Attorney  
Vess Walker, Director of Public Services  
Mike Gaviotis, Wastewater Treatment Plant Superintendent  
File

**NOV Referenced Ordinance Articles, Sections, Sub-Sections, Parts, And Sub-Parts Used Or Quoted**

Article 7-4, Section 7-403

Article 7-4, Section 7-403, Sub-Sections and Parts listed herein

Article 7-4, Section 7-403 Sub-Section 1, Parts 1-01, 1-02, 1-03, 1-04, 1-05

Article 7-4, Section 7-403, Sub-Section 2, Parts 2-01 through 2-48.

Article 7-4. Section 7-403. Sub-Section 3. Parts 3-04, 3-07, Sub Section 4. Parts 4-01, 4-02, 4-03.

Article 7-4. Section 7-403. Sub-Section 3. Part 3-06, Sub-Section 4. Part 4-03. Sub-Section 6. Part 6-01,

Sub-Section 7. Parts 7-01, 7-02, 7-03, 7-05, 7-07. Sub-Section 8, Parts 8-02, 8-03, 8-04, 8-05.

Article 7-4. Section 7-403. Sub-Section 24. Part 24-01.

Article 7-4, Section 7-403, Sub-Section 24., and all other Sections, Sub-Sections, and Parts as listed below:

Article 7-4, Section 7-403, Sub-Section 3, Part 3-07 (b) (e). Sub-Section 17., Part 17-06. (2).

Article 7-4, Section 7-403, Sub-Section 24

(Article 7-4. Section 7-403. Sub-Section 3. Part 3-14. (i) and Sub-Section 27. Part 27-06 (a)(b)(c)(d)

Article 7-4. Section 7-403. Sub-Section 27. Parts 27-02, 27-02 (a) (g) (h),

Article 7-4. Section 7-403. Sub-Section 3. Part 3-07 (e). Sub-Section 27. Part 27-02 (a)(g)(h).

Article 7-4. Section 7-403. Sub-Section 3. Part 3-07 (e). Part 3-14 (i). Sub-Section 12. Parts 12-01, 12-02, 12-03.

Sub-Section 26. Sub-Section 27. Part 27-06.

